

CLERK'S OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA
FILED
8/25/2022
JULIA C. DUDLEY, CLERK
BY: s/ A. Little
DEPUTY CLERK

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

TONYA M.,¹

Plaintiff,

v.

KILOLO KIJAKAZI, ACTING
COMMISSIONER OF SOCIAL SECURITY,

Defendant.

CASE NO. 6:21-cv-17

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court on Plaintiff Tonya M.'s motion for summary judgment, Dkt. 11, and Defendant Commissioner of Social Security's motion for summary judgment, Dkt. 16. Pursuant to Standing Order 2011-17 and 28 U.S.C. § 636(b)(1)(B), the Court referred this matter to United States Magistrate Judge Robert S. Ballou for proposed findings of fact and a recommended disposition. In his Report and Recommendation ("R&R"), Judge Ballou recommends denying the Commissioner's motion for summary judgment and granting in part Plaintiff's motion for summary judgment and remanding the matter for further administrative proceedings.

After reviewing the record in this case, and since neither party has filed objections to the R&R within fourteen days of its service upon them, the Court adopts the R&R in its entirety.

Accordingly, the Court hereby:

1. **ADOPTS** Judge Ballou's R&R, Dkt. 18, in full.

¹ This Court adopts the recommendation of the Committee on Court Administration and Case Management of the Judicial Conference of the United States that courts only use the first name and last initial of the claimant in Social Security opinions.

2. **GRANTS** in part Plaintiff's motion for summary judgment, Dkt. 11.
3. **DENIES** the Commissioner's motion for summary judgment, 16.
4. **REMANDS** the case for further proceedings consistent with the R&R.

The Court further **DIRECTS** the Clerk of the Court to **DISMISS** this case from the Court's active docket and to send a copy of this order to all counsel of record.

It is so **ORDERED**.

Entered this 25th day of August 2022.



NORMAN K. MOON
SENIOR UNITED STATES DISTRICT JUDGE